

REMARKS

Claims 1-4, 6, 14-22, 24-26, 28-30, 32-34, and 36 are pending in the present application, with claims 8, 9, 23, 27, 31, and 35 being cancelled by this Amendment. Claims 1-4, 6, 14-22, 24-26, 28-30, 32-34, and 36 currently stand rejected, and claims 1, 6, and 16-20 have been amended. Reconsideration and allowance of claims 1-4, 6, 14-22, 24-26, 28-30, 32-34, and 36 are respectfully requested in light of the preceding amendments and following remarks.

Claim Rejections – 35 U.S.C. § 103

Claims 1-4, 6, 14-22, 24-26, 28-30, 32-34, and 36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Pat Pub 2002/0046328 to Okada ("Okada") in view of US Pat 5,742,569 to Yamamoto ("Yamamoto"), US Pat Pub 2001/0043790 to Saeki et al. ("Saeki"), US Pat Pub 2001/0038745 to Sugimoto ("Sugimoto"), and Official Notice. Applicants respectfully traverse this rejection for the reasons detailed below.

With regard to claim 1, the Examiner alleges that Sugimoto discloses a navigation data items including "an indicator indicating that the first navigation data item references more than one map" by disclosing a plurality of entry points for a particular video object. Applicants respectfully submit that Sugimoto does not teach this element, and, further, that Sugimoto and Saeki are not combinable with Okada under § 103(a).

Sugimoto's FIG. 45 illustrates entry points (ENTRY POINT) for a number of cells mapping to various VOBs. Claim 1 recites that the identifier identifies **how many maps** are referenced by a navigation data item having the identifier. Applicants respectfully submit that the entry points of Sugimoto identify only places within a cell where reproduction of cell content may begin; Sugimoto suggests nothing of the entry points identifying how many VOBs are associated with a navigation data item. See Sugimoto, ¶¶ [0682]-[0684]; FIG. 45. Indeed, it is possible that multiple entry points could be present in Sugimoto and associated with a single VOB. Thus, the entry points of Sugimoto **do not correlate with, nor are necessarily indicative of, a number of maps** referenced by a navigation data item.

Further, even if multiple entry points in Sugimoto did indicate a number of VOBs or maps referenced by a navigation data item, **multiple entry points** in a VOB cannot be interpreted to be the recited "**identifier**" (**singular**) in a navigation data item, as recited by claim 1. Thus, Sugimoto does not teach or suggest the identifiers as recited in claim 1.

Lastly, Applicants respectfully reiterate that the combination of Okada and Saeki or Sugimoto is impermissible under § 103(a). The navigation information described in Okada is completely different from the navigation information described in Saeki and Sugimoto, both in function and hierarchy placement. For example, FIG. 44 of Okada illustrates a management table 150. Applicants submit that replacing the management table 150 described in Okada with the navigation information described Saeki or Sugimoto at the

various levels recited in the claims would amount to a complete redesign and functional change of Okada, since none of the features shown in management table 150 clearly correspond to the data management file shown in FIG. 9 of Saeki or the cells shown in FIG. 45 of Sugimoto. Such a reconstruction, without some teaching as to its feasibility or desirability, is not permissible under § 103(a). See MPEP § 2141(III); KSR v. Teleflex, 550 U.S. ___, slip. op. 04-1350, p. 13 (2007) (when looking at variations in prior art elements, a finding of non-obviousness turns on whether “the improvement is more than the predictable use of prior art elements according to their *established functions*”) (emphasis added).

None of Yamamoto, Saeki, Sugimoto, and Official Notice cure the disclosure and suggestion deficiencies of Sugimoto, discussed above. Because Okada, alone or in combination with Saeki, Sugimoto, Yamamoto, and Official Notice, fails to teach or suggest each and every element of claim 1 and cannot be combined or modified to do so under § 103(a), these references cannot anticipate or render obvious claim 1. Claims 16-20 are allowable over the applied references at least for reciting the same unique features missing from each reference discussed in connection with claim 1. Claims 2-4, 6, 14, 15 21, 22, 24-26, 28-30, 32-34, and 36 are allowable at least for depending from an allowable base claim. Withdrawal of the rejections under 35 U.S.C. § 103(a) to claims 1-4, 6, 14-22, 24-26, 28-30, 32-34, and 36 is respectfully requested.

Examiner Interview Requested

Applicants thank the Examiner for granting previous interviews in connection with this and related applications. Applicants would like to conduct a further interview on this application and related applications 10/176,369 and 10/810,823, all of which have submitted responses pending examination and for which prosecution is still open. Applicants will be contacting the Examiner regarding this request; however, the Examiner is urged to contact Applicants should she take up the current response in any of these applications for examination before such interview has been scheduled.

CONCLUSION

Accordingly, in view of the above remarks, reconsideration of the rejections and allowance of each of claims pending in this application are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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